

107TH CONGRESS
1ST SESSION

H. R. 3052

To amend the Immigration and Nationality Act to require that nonimmigrant visa applicants provide fingerprints.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 2001

Mr. GREEN of Texas introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to require that nonimmigrant visa applicants provide fingerprints.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Visa Information Secu-
5 rity Act of 2001”.

1 **SEC. 2. REQUIREMENT FOR BIOMETRIC IDENTIFIER FOR**
2 **NONIMMIGRANT APPLICANTS FOR ADMIS-**
3 **SION.**

4 (a) REQUIREMENT FOR NONIMMIGRANT VISA APPLI-
5 CATION.—Section 221(b) of the Immigration and Nation-
6 ality Act (8 U.S.C. 1201(b)) is amended—

7 (1) by inserting “(1)” after “(b)”; and

8 (2) by inserting at the end the following new
9 paragraph:

10 “(2) Each alien who applies for a nonimmigrant visa
11 shall submit a biometric identifier (such as the finger-
12 prints or handprint of the alien) that is machine readable,
13 at such time and in such manner as shall be determined
14 by regulation by the Attorney General and the Secretary
15 of State. A biometric identifier shall be required to be con-
16 tained on the visa or other documentation required for ad-
17 mission at the port of entry. The Attorney General may,
18 in the discretion of the Attorney General and on the basis
19 of reciprocity pursuant to such regulations as the Attorney
20 General may prescribe, waive the requirement of a biomet-
21 ric identifier in the case of any nonimmigrant.

22 (b) MATCH REQUIREMENT FOR ADMISSION.—Sec-
23 tion 221(f) of the Immigration and Nationality Act (8
24 U.S.C. 1201(f)) is amended—

25 (1) by inserting “(1)” after “(f)”; and

1 (2) by inserting at the end the following new
2 paragraph:

3 “(2) Each alien presenting a nonimmigrant visa and
4 other documents required at the port of entry is not per-
5 mitted to enter the United States unless the biometric
6 identifier contained on the documents matches the appro-
7 priate biometric characteristic of the alien.”.

8 (c) DATABASE CROSSCHECK.—The Attorney General
9 and the Secretary of State, jointly, shall by regulation re-
10 quire that prior to the issuance of a nonimmigrant visa,
11 the biometric identifier of each applicant shall be
12 crosschecked with appropriate databases (including the
13 databases of the criminal justice information services divi-
14 sion of the Department of Justice) for information regard-
15 ing the police and criminal record, if any, of such alien
16 and such other information as may be appropriate.

17 (d) IMPLEMENTATION.—The Attorney General and
18 the Secretary of State shall ensure that officials at con-
19 sular offices abroad with the responsibility to consider ap-
20 plications for nonimmigrant visas and immigration offi-
21 cials at points of entry have the technology and training
22 to carry out this section and the amendments made by
23 this section.

24 (e) FEES.—

1 (1) ESTABLISHMENT.—The Attorney General
2 shall establish a fee, which the Attorney General
3 may periodically revise, to be imposed on, and col-
4 lected from, all nonimmigrant aliens prior to the
5 issuance of a visa. The amount of the fee shall be
6 based on the Attorney General’s estimate of the cost
7 per alien of implementing this section and the
8 amendments made by this section.

9 (2) USE.—Fees collected under paragraph (1)
10 shall be deposited as offsetting receipts into a sepa-
11 rate account in the Treasury and shall remain avail-
12 able until expended for the Attorney General to re-
13 imburse any appropriation the amount paid out for
14 expenses in carrying out this section.

15 (f) REPORT TO CONGRESS.—At least annually, the
16 Attorney General shall submit to the Congress a report
17 concerning the implementation of this section and the
18 amendments made by this section and use of the waiver
19 authority under section 221(b)(2) of the Immigration and
20 Nationality Act. Such reports may be submitted in classi-
21 fied and unclassified form.

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